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E. F. & Co

1991 Boul Perigny
Suite 104
Chambly Qc
Canada J3L 4C3

An Intellectual Property Firm
Cabinet en Propriété Intellectuelle

Postal Address
316 Knowlton Rd
Lac Brome Qc
Canada JOE 1V0

Date: August 5, 2005
To: United States Patent and Trademark Office
Fax: (571) 273-8300
From: Eric Fincham

Number of pages including cover sheet: 3

NOTICE

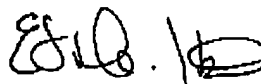
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Docket No. 2308-5A

Serial No. 10/797,806
Filed March 10, 2004
Inventor Gilles Dumont

Would you kindly see that the attached Petition having regard to the Office Action of June 28, 2005 is forwarded to the attention of Examiner Jeffrey L. Gellner.

Thank you for your attention to the above.



Tel 450 658-1598
Fax 450 658-9371

888-243-4156
efco@citenet.net

Tel 450 243-4156
Fax 450 243-0731

Docket No. 2308-5A

August 5, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GILLES DUMONT

Serial No.: 10/797,806

Art Unit: 3643

Filed: March 10, 2004

Examiner: Jeffrey L. Gellner

Title: ROTARY PLANT GROWING APPARATUS

Commissioner for Patents
Alexandria, VA 22313-1450

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Petition to Reset a Period for Reply Due to Late
Receipt of a Patent and Trademark Office Action

Sir:

Applicant hereby Petitions the Patent and Trademark Office to restart the previously set period for reply to a Patent and Trademark Office Action to run from the postmark date shown on the Patent and Trademark Office mailing envelope.

The Action is a Restriction Requirement dated June 28, 2005. Applicant is attaching hereto a copy of the Patent and Trademark Office envelope in which the Office Action was received. As may be seen from the top thereof, the envelope indicates a date of mailing of July 24, 2005 at 18:39.

The Office Action was received in the office of Eric Fincham on July 25, 2005. Accordingly, it is believed that as the Restriction Requirement carried a one month reply period and this Petition has been filed within two weeks of the date of receipt of the Office Action, that a resetting of the time period for reply would be equitable.

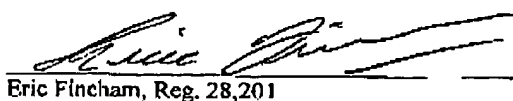
Respectfully,



Eric Fincham
Reg. No. 28,201

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patents and Trademarks Office Fax No. 571-273-8300 on the date set forth below.


Eric Fincham, Reg. 28,201

Aug 5, 2005
Date

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